

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

IN RE: AQUEOUS FILM-FORMING FOAMS
PRODUCTS LIABILITY LITIGATION

) MDL No.
) 2:18-mn-2873-RMG
)

CITY OF CAMDEN, et al.

Plaintiffs,

-vs-

E.I. DUPONT DE NEMOURS AND COMPANY (n/k/a
EIDP, Inc.), et al.,

Defendant.

)
) Case No: 2:23-cv-03230-RMG
)
)
)
)
)
)
)
)
)

**DECLARATION OF NOTICE ADMINISTRATOR STEVEN WEISBROT, ESQ. OF
ANGEION GROUP, LLC REGARDING OBJECTIONS TO THE SETTLEMENT AND
REQUESTS FOR EXCLUSIONS RECEIVED**

I, Steven Weisbrot, Esq., declare and state as follows:

1. I am the President and Chief Executive Officer at the class action notice and claims administration firm Angeion Group, LLC (“Angeion”). I am fully familiar with the facts contained herein based upon my personal knowledge and as reported to me by Angeion staff members.
2. My credentials have been previously reported to this Court in my initial declaration which was filed with *Plaintiffs’ Motion for Preliminary Approval of Class Settlement, For Certification of Settlement Class and For Permission To Disseminate Class Notice* (Dkt. No. 3393-8) (the “Initial Declaration”).

3. The purpose of this declaration is to provide the Court with an update regarding the Requests for Exclusion (“Opt-Outs”) and Objections to the Settlement received as a result of the Notice Program.
4. Pursuant to Section V.25 of the Court’s *Preliminary Approval Order of Settlement Agreement* entered August 22, 2023 (Dkt. 3603), the Notice Administrator is to prepare and file with the Court and serve on Class Counsel and Settling Defendants’ Counsel, a list of all Persons who have timely filed and served Request for Exclusion or Objections.

Opt-Outs

5. The *Notice of Proposed Class Action Settlement and Court Approval Hearing* mailed to all known Settlement Class Members, directed any entity that desired to Opt-Out of the Settlement, to send their request to Counsel for the Settling Defendants, Class Counsel and the Notice Administrator so that it is received no later than December 4, 2023.
6. Angeion received timely submitted Opt-Outs from a total of 717 entities that were on the Class List.¹ These 717 timely submitted Opt-Outs included the following:
 - a) A total of 427 entities that did not comply with Settlement Agreement § 9.7.5, which states that “no ‘mass,’ ‘class,’ ‘group’ or otherwise combined Request for

¹ As explained in my Declaration dated December 18, 2023, Class Counsel previously provided me a Class List of 14,167 entities that had been identified as potential members of the Settlement Class for purposes of providing notice. The numbers in paragraph 6 do not include purported Requests for Exclusion that were received from entities that were not on the Class List. In addition, Angeion received 287 from entities not on the Class List; of these 254 were timely, and 33 were untimely. Further, 60 of the timely Requests from entities not on the Class List did not comply with Settlement Agreement § 9.7.5, which states that “no ‘mass,’ ‘class,’ ‘group’ or otherwise combined Request for Exclusion shall be valid, and no Person within the Settlement Class may submit a Request for Exclusion on behalf of any other Settlement Class Member,” and 87 did not comply with one or more of the other requirements of § 9.7.1 of the Settlement Agreement. In the course of its review, Angeion discovered many duplicates with the Requests for Exclusion and continue their efforts to identify duplicates that may have been overlooked.

Exclusion shall be valid, and no Person within the Settlement Class may submit a Request for Exclusion on behalf of any other Settlement Class Member.”

- b) A total of 120 entities that did not comply with one or more of the other requirements of § 9.7.1 of the Settlement Agreement.²
7. Angeion additionally received a total of 291 submissions from entities that were on the Class List, but whose submissions were not timely as required by the Settlement Agreement § 9.7.1.4.
8. Any Person who submitted a Request for Exclusion and wishes to confirm which tally, as described in paragraphs 6-7 above, they were counted in can – and is encouraged to – contact Angeion directly by calling the hotline set up for such inquiries. The hotline number is 855-972-9592 and all callers will be required to provide appropriate identifying information.

Objections

9. The *Notice of Proposed Class Action Settlement and Court Approval Hearing* directed any entity that desired to object to the terms of the Settlement, to send their Objections to the Clerk of the Court, Counsel for the Settling Defendants and Class Counsel.

² In addition to requiring timely submission, Settlement Agreement § 9.7.1 provides that a Request for Exclusion “must certify, under penalty of perjury in accordance with 28 U.S.C. § 1746, that the filer has been legally authorized to exclude the Person from the Settlement” and must “provide an affidavit or other proof of the standing of the Person requesting exclusion and why they would be a Settlement Class Member absent the Request for Exclusion”; “provide the filer’s name, address, telephone and facsimile number and email address (if available)”; and “provide the name, address, telephone number, and e-mail address (if available) of the Person whose exclusion is requested.” Because facsimile number and email address were indicated to be optional for the filer, and email address was indicated to be optional for the Person whose exclusion was requested, failure to so provide was not deemed non-compliance with Settlement Agreement § 9.7.1.

10. In Summary, a total of 23 Objections to the Settlement have been submitted. Of these 23 Objections, 16 have withdrawn their Objections by choosing to Opt-Out. Attached hereto as **Exhibit A**, are each of the remaining Objections.

I hereby declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Signed on January 3, 2023, in Coral Springs, Florida.

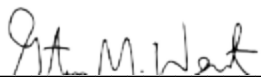

STEVEN WEISBROT

EXHIBIT A

Objecting Entity	PWS ID	Date Filed
Broward County	FL4060163	11/11/2023
City of Newburgh	NY3503549	11/11/2023
Widefield Water and Sanitation District	CO0121900	11/10/2023
City of Tacoma	WA5386800	11/10/2023
City of Vancouver	WA5391200	11/10/2023
North Texas Municipal Water District		11/10/2023
City of DuPont	WA5320500	11/10/2023